

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	Case No. CR-1-02-115
	:	
Plaintiff,	:	Senior Judge Spiegel
	:	
vs.	:	
	:	
JORDAN BENJAMIN	:	MOTION TO MODIFY
	:	CONDITIONS OF BOND
Defendant.	:	

Defendant Jordan Benjamin, by and through counsel, respectfully requests that the court modify the conditions of his bond and allow him to be released on electronic monitoring pending placement in a community corrections facility (“halfway house”).

As background, on April 20, 2007 Magistrate Judge Hogan set an O.R. bond for Defendant Benjamin with the condition that he be released from custody to a halfway house when a bed was available. United States Probation Officer Michelle Merrett contacted the United States Bureau of Prisons and requested that Defendant Benjamin be designated to the Talbert House-Cornerstone Program. Ms. Merrett has been notified that there is no funding available through the United States Probation Department, or through the United States Bureau of Prisons, that would pay for Defendant Benjamin’s pre-hearing placement at the Talbert House-Cornerstone Program.

In addition, Defendant Benjamin has signed a modification of the terms of his supervision with this court requesting placement in a halfway house, but as of today's date, no placement has been ordered.

Based upon the foregoing, Defendant Benjamin respectfully requests that this court order that he be released on the condition of electronic monitoring until his designation and placement in a halfway house.

Respectfully submitted,

STEVEN S. NOLDER,
FEDERAL PUBLIC DEFENDER

s/W. Kelly Johnson

W. Kelly Johnson (0037241)
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Counsel for Defendant
Jordan Benjamin

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon Timothy D. Oakley, Assistant United States Attorney, by electronic filing, on April 5, 2007.

s/W. Kelly Johnson

W. Kelly Johnson